

Confidentiality of Library Records

The Palmyra Community Library Board of Trustees recognizes the responsibility to protect the privacy of library users.

Library patrons' First Amendment rights to guaranteed freedom of speech extend to a corresponding right to hear what is spoken and read what is written, free from fear of intrusion, intimidation or reprisal.

The confidentiality of library records is protected by New York State (CPLR 4509, New York State Statutes) which states that library records "shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute."

The Palmyra Community Library also ascribes to the American Library Association's Code of Ethics, Article III which states:

We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

A patron's circulation records will not be released to any other person, except that parents/legal guardians will be given access to the records of their children under the age of 16.

Procedures for Implementing Policy on Confidentiality of Library Records

In the event that staff is approached to divulge confidential information, the following steps will be followed:

1. The library staff member receiving the request to examine or obtain information relating to confidential library records will immediately refer the person making the request to the Library Director, who will explain the confidentiality policy.
2. Under no circumstances will staff divulge any confidential information regarding or including:
 - Patron's name, address, telephone number
 - Library card holding status
 - General information regarding a patron's library habits, including but not restricted to, number of visits, times of visits, number or type of questions asked, etc.

3. The Library Director will receive any request in a timely manner. If necessary, the Library Director will consult with legal counsel to determine if such process, order, or subpoena is proper and in full compliance with proper legal authority. If there is a reasonable basis to believe such records are necessary to the progress of an investigation or prosecution, the American judicial system provides the mechanism for seeking release of such confidential records. The issuance of a court order, following a show of good cause based on specific facts by a court of competent jurisdiction, will be the only basis on which confidential information will be released.
4. Requests for information without written consent from the named patron will be denied without the required court order.

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